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UNCLAS SECTION 01 OF 05 MUMBAI 000440

SENSITIVE  
SIPDIS

E.O. 12958: N/A  
TAGS: [PGOV](#) [PINR](#) [PREL](#) [PTER](#) [ASEC](#) [IN](#)  
SUBJECT: 26/11 ONE YEAR LATER: CAN MUMBAI BE MADE SAFE?

REF: Mumbai 233

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11. (SBU) Summary: One year after the tragic terrorist attacks of November 26, 2008, Maharashtra's leaders have introduced modest improvements in Mumbai's security. Maharashtra's administration and security officials appear sincere in their desire to make Mumbai and Maharashtra safer, and to protect its citizens from further attacks. That said, the state faces serious challenges in overcoming decades of accumulated capacity and leadership deficits - as well as bureaucratic hurdles -- in order to make Mumbai safer. Despite a state election where security might have been an electoral issue, voters cast their ballots along identity lines, returning the ineffectual incumbent coalition to power. A new, energetic police leadership has introduced some modernization efforts, but serious questions remain about the professional competence of the force and the ability of its political leadership to implement serious reforms. Since the onus for state security is constitutionally the responsibility of state governments, these issues in India will always be subject to the capabilities, competence, and seriousness of the local political leadership, some of whom are not currently up to the task. End Summary.

26/11 Lessons Learned

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12. (SBU) On November 26, 2008, ten heavily-armed terrorists landed in Mumbai, and laid siege to a train station, two major hotels, and a Jewish cultural and religious house. When the attackers were finally killed over three days later, over 160 people were killed, from 23 different nations. These attacks, known as "26/11," exposed huge gaps in competence, coordination, and leadership at the state and central level. During the attacks, Maharashtra's politicians were criticized for their seemingly dazed and uncoordinated response to the city's tragedy as the attacks unfolded over the course of several days. Some members of the Mumbai Police acted bravely in the first, chaotic hours after the attacks began, and the force quickly appeared in strength at the key sites occupied by the terrorists. However, the Mumbai Police did not have the capability or training to combat the terrorists occupying the hotels or the Jewish center, which were only cleared, after some delay, by the paramilitary

National Security Guard forces from New Delhi.

¶3. (SBU) In the aftermath of the attacks, the Maharashtra government commissioned a "lessons learned" report from two retired civil and police officials, Ram Pradhan and V. Balachandran. (See ref A.) While this report is still classified, the authors and the press have cited several key recommendations that address the state's inability to prevent the attacks, and the inadequate response to them. First, the central government needed to improve the quality and regularity of intelligence sharing with state governments, and minimize inter-agency rivalries that impair timely dissemination of actionable intelligence. Second, states must themselves improve procedures for processing, sharing, and acting on intelligence provided by the central government or collected internally. Third, the state should clarify clear lines of authority during city and state crises to avoid the confusion that prevailed during the attacks. Fourth, the state government needs to centralize its public communication during crises to prevent the undisciplined, uncoordinated release of misinformation that occurred during the attacks. Fifth, the state should develop and deploy a professional paramilitary first response team to handle such attacks in the future. Sixth, the police should prioritize appropriate and timely purchases of weapons and equipment to modernize the force and its capabilities. Seventh, the state should bolster its coastal security capabilities, as well as improve coordination with the Coast Guard and Indian Navy.

The Politicians: Are They Up to It?

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¶4. (SBU) After the siege ended, the state's top two politicians - one from each of the governing coalition partners, the Congress Party and the Nationalist Congress Party (NCP) - resigned at the insistence of their party leaders. NCP Home Minister R.R. Patil, who was in charge of state security and made several awkward statements in Hindi (not his native language) downplaying the seriousness of the attacks, was the first to go. Congress Chief Minister Vilasrao Deshmukh, who emerged in public only after the attacks to tour the Taj Mahal Hotel crime scene with a famous Bollywood horror film producer in tow, soon followed. Their successors, Ashok Chavan of the Congress as CM, Jayant Patil of the NCP as Home Minister, faced both a national and state election within nine months of taking office. Strict election codes of conduct precluded elected officials from making major decisions, expenditures, and procurements for three months during the last year, so the state government's operations were interrupted twice, for three months, over the past year.

¶5. (SBU) Therefore, for most of the time since 26/11, Maharashtra's politicians engaged in fraternal infighting, electioneering, and horse-trading over the spoils of office. In both the national elections of May 2009, and the Maharashtra state elections of October 2009, the Congress/NCP coalition increased their seats. (To the surprise of many, security was not an issue in either election.) After the state elections, the Congress and NCP fought for two weeks over the distribution of ministries, balancing family and caste concerns, as well as the need for both parties to have sufficiently "lucrative," money-earning ministries. The coalition re-appointed Home Minister R.R. Patil to the same office in the new state government. While Patil's re-appointment raised accountability concerns, Patil has a reputation for being cleaner and more

serious than other politicians in his party. Patil is also respected by the police leadership, who see him as more responsive to the needs and requests of the force.

¶6. (SBU) By all accounts, Maharashtra has lacked good political leadership for almost two decades. The last ten years of Congress/NCP rule has been marked by an inability to implement major development or infrastructure programs. The political coalition is openly fractious, ministers routinely criticize each other in public, and state leaders devote much of their time to balancing these various interests, leaving little time for serious pursuits. In this regard, Maharashtra's politicians are not different from those in many other states - too many family dynasties, too much corruption, too many builders and land developers seeking family fortunes. However, the accumulation of ten years of underperformance, indifference, and incompetence has lowered the expectations of civil society so much that even the most marginal of improvements would be seen as a major victory. Upon returning to office, Chief Minister Chavan has expressed a strong commitment to improving governance in the state, but there is nothing in Maharashtra's recent history that indicates that his tenure could be different.

The Police: Small Movement in the Right Direction~~..

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¶7. (SBU) Since 26/11, the Mumbai police have taken modest, positive steps to boost their professional competence. The new Mumbai police chief, D. Sivanandan, is enthusiastic, approachable, and focused. The Indian Administrative Service officers in charge of the state Home Ministry are some of the best the state has to offer. Despite the electoral prohibitions, some money has been spent on weapons and capability enhancement since the attacks. According to state Home Secretary Chandra Iyengar, the state has released almost 60 million USD for modernization efforts, including weapons, coastal patrol boats, training facilities, and armored vehicles

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which will be introduced over the next few months. The police have redesigned and revived the use of Quick Response Teams (QRTs), a complement of better armed and trained police at the local level, and launched Force One, a 300-member SWAT-like team, which has received some training from foreign experts. There are many more police stationed at strategic junctions and targets, such as five-star hotels. A team from Mumbai's Anti-Terrorism Squad which participated in a recent security drill at the Consulate impressed the RSO with their professionalism. The Mumbai Police has shown great interest in collaborating with other city police forces, in the U.K. and U.S.

¶8. (SBU) Iyengar told Congenoffs that financial resources were sufficient for force modernization efforts, but training needs were significant. From basic training for policemen to highly-specialized paramilitary units, the state hoped to develop facilities and programs for its long-term training needs. The state has already founded a jungle warfare training center in Nagpur, and plans to develop urban terrorism training centers in Mumbai and Pune. Using mobile first responder units, the QRTs and Force One, the state aims to develop a "response which follows a systematic pattern." However, she emphasized that the government was careful to ensure that the Mumbai and state police should remain community police forces, and not evolve into militias. Iyengar reiterated the "enormous" need for quality intelligence at the state and national level. Iyengar noted the efforts of former Home Minister, Jayant Patil,

who instituted a weekly meeting among the various state and central officials to share intelligence and threat assessments, greatly improving center-state coordination. She also praised the energy and commitment of Union Home Minister P. Chidambaram, who "chases us 24/7."

~..But There's a Long Road Ahead

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¶9. (SBU) Despite official expressions of high confidence, most citizens and experts are skeptical that the Mumbai police will be able to institutionalize a higher level of professional competence in the near or medium term. As with most colonial legacy police forces, the main job of the Mumbai Police is law and order; in that, they largely ensure that the city's many religious and cultural festivals and political rallies take place peacefully. As such, the police have developed little enthusiasm for protecting or pursuing the interests of average citizens. Underpaid, ill-trained, and living in slums themselves, the police spend a great deal of their time shaking down the local populace or colluding with vested interests to supplement their low salaries. Moreover, the force has limited capability to investigate crimes, have only small amounts of technology, and will often use force and intimidation to elicit confessions during interrogations. The police are repeatedly subjected to political pressures, and must devote significant manpower to VIP protection. Petty careerism and bureaucratic and legal battles have forced two changes in the Director General of Police, the senior-most ranking officer in the state, in the last six months, paralyzing the force at the top.

¶10. (SBU) Indeed, mistrust of the police in Mumbai remains high, and most Mumbaikars expect the police to take advantage of them when vulnerable, rather than provide help. Moreover, the police admit to few good contacts in the state's Muslim communities, either for intel collection or relationship-building, and Muslims are underrepresented on the force. Many question whether the police will buy the right equipment for their force, and whether ever-present corruption in the procurement process will derail, or delay, sensible purchases. A retired Admiral told Congenoff that the new police boats are riverine boats, not coastal boats. An Israeli security expert who trained Force One informed Congenoff that the group was better trained than the regular police, but was some years away from being a competent, professional force.

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Overall, the police have made modest improvements in their security capabilities, and the momentum is in the right direction. With several decades of accumulated capacity deficits, however, the police will face huge challenges in speedily modernizing their approach and changing their image.

Coastal Security

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¶11. (U) In the aftermath of 26/11, security experts called for improving India's coastal security capabilities. India has a coastline of 7,500 km (mainland and islands), with 12 major ports and 187 minor ports. With a coastline of 720 kms, Maharashtra has the largest number of ports with two major ports and 53 minor ports; Gujarat has 1600 kms of coastline, with 40 minor ports and two major ports. The Maharashtra police share responsibility for coastal protection with the Indian Coast

Guard and the Indian Navy, both of which have stations in Mumbai. The Maharashtra police are charged with security up to five nautical miles from shore, the Coast Guard from five to 12 nautical miles, and the Navy beyond 12 nautical miles. Recognizing that the state would not be able to patrol its entire coastline, Iyengar told Congenoffs that police and local officials have approached fishing communities to serve as the "eyes and ears" for policing efforts and for reporting intruders.

¶12. (SBU) The Coast Guard Western headquarters in Mumbai oversees India's coastal territorial waters from the border with Pakistan border in Gujarat to India's southern tip. After the 26/11 terror attacks, the GOI sanctioned an additional 14 new coast guard stations to plug the security gap along the coastline. The Coast Guard also plans to recruit an additional 3,000 personnel to enable it to effectively combat terrorism from the sea. The Coast Guard plans to acquire 20 fast patrol vehicles, 41 interceptor boats, 12 coastal surveillance aircraft (Dorniers), and 7 offshore patrol vehicles, and to place 46 coastal radars spanning 9 coastal stations across India.

#### Central Government Reforms

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¶13. (SBU) In response to the 26/11 Mumbai attack, the central government pushed through Parliament two sets of legal reforms designed to strengthen India's security apparatus. The first amended India's Unlawful Activities (Prevention) Act of 1967 to increase from 45 to 90 days the period a terrorist suspect can be detained by police without being charged. This provision provides Indian police more time to investigate, collect evidence, and build a case if they suspect the accused is involved in a terrorist plot. According to two prominent Indian terrorism attorneys, no one has so far challenged the law in court despite initial media concerns about possible civil rights violations.

¶14. (SBU) The second reform was the passage of the National Investigation Agency (NIA) Bill of 2008, which created an agency tasked with investigating terrorist attacks and authorized to function across Indian state borders without seeking separate permissions. India's federal constitution grants states authority over law enforcement and public security, so NIA has tread lightly so as not to encroach on state sovereignty. The NIA has so far surmounted jurisdictional obstacles to register three cases, most recently against David Headley, the Lashkar-e-Tayyiba operative arrested by the U.S. FBI in Chicago.

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¶15. (SBU) There appears to be little residual domestic political impact from the Mumbai terror attacks at this point. The emotional reaction of the Indian people in the first few weeks after the attacks dissipated relatively quickly. The Indian people have become inured by decades of such attacks. For many of the slum dwellers and poor of India, the attacks represent the first time wealthier classes were directly affected. The fall out, if any, during the April-May parliamentary elections was arguably positive for the ruling Congress Party as the Muslim electorate in important pockets rallied to the party seen as the traditional defender of minorities. Heavy media coverage at the anniversary of the

attacks will no doubt resurrect memories of the spectacle in the minds of the Indian people and the opposition will attempt to get some play out of it in parliament this session. There have been some consequential legacies of the attacks, nevertheless: India now has in place a competent, take-charge Home Minister, who is strengthening India's security and intelligence activities and addressing a host of other major issues such as Kashmir and the Naxalite/Maoist threat; and the environment for U.S.-India cooperation on counterterrorism has improved significantly.

Comment: One Year Later, Concerns Remain

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¶16. (SBU) One year after the terrorist attacks of 26/11, Mumbai is only marginally safer than it was a year before. While no one blames state security officials for the initial incursion of the attackers -- many cities around the world remain equally vulnerable to this kind of attack, which can never be completely prevented -- we remain concerned that the state police do not have the professional capabilities to stop or contain serious, coordinated violence in the city. Moreover, we are skeptical that local political leaders have the competence and purposefulness to support and implement modernization efforts. While the police will likely be able to upgrade their "hard" infrastructure through weapons and equipment purchases, the "soft" infrastructure -- training, better policing, intel gathering, and better coordination and implementation -- will be a major struggle. With the constitutional responsibility for internal security largely left to the states, there are bound to be major discrepancies of capacity, competence, and coordination between the state and central governments, and among the states. Despite some positive steps in the right direction since the attacks, we believe that there is still significant ground to cover before Mumbai's security is in the hands of trained, purposeful, competent professionals. End Comment.

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